

South Aero, Inc.

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Tuesday, January 14, 2003

U. S. Department of Transportation,
Docket Management System
400 7th St.
Room PL 401,
Washington, DC 20591-0001

South Aero, Inc. is seeking an exemption to Section 135.143 (c) (2) of Title 14, Code of Federal Regulations (14 CFR)

Mr. Brian Burgess, (DOM) South, South Aero, Inc., P.O. Box 9175, Albuquerque, NM 87119-9175, Phone number 505-842-4486/4456.

South Aero, Inc. is seeking a permanent or limited exemption due safety reasons. The exemption to Section 135.143 (c) (2) to Title 14, Code of Federal Regulations (14 CFR) would eliminate our restrictions to (TSO C-112 (Mode S)) transponder installations in South Aero, Inc. Fleet Aircraft. South Aero, Inc. operates a Fleet of aircraft and the requirement to install (TSO C-112 (Mode S)) type transponders has become an issue of not being able to upgrade the transponder systems, working/repairing current stock of some older less quality transponders. South Aero, Inc. Aircraft, the general public & ATC, would benefit from dual transponders and or higher quality units available at much less cost, than the TSO C-122 (Mode S)) transponders. Our fleet has operated with (Mode C) type transponders safely for over fifteen years, but failures can occur, reducing the visibility of our aircraft. Our intentions are to have redundant systems or best systems installed, to ensure that ATC has a readable target.

Installation of a higher quality transponders or installation of dual (Mode C) transponders would enhance and already proven product. (Mode C) transponders currently have provided adequate traffic control for maintaining aircraft separation, thus making the public safer. (TSO C-112 (Mode S)) transponders would only further identify the aircraft and not make the aircraft any safer.

It is our understanding that (Mode S) transponders have yet to be a viable operational system. It has been noted that numerous exemption have been approved. (Mode S) transponders being three to four time the cost, being a more complicated system almost always requires more maintenance and possibly a less reliable system. If South Aero, Inc., was to upgrade or install dual, non (TSO-C112 (Mode S)) type transponders, upon expiration of the current or renewed exemption all upgrades would need to be removed. If possible a permanent exemption, if granted, could be nullified by a new regulation, or other future action by the FAA. Continued operation under the existing regulation will result in the further degradation of existing installed equipment, and an inability to add redundant systems, further degrading safety in our ATC operations.

Thanks for your consideration;

/s/Brian Burgess
Director of Maintenance